

The title has been amended as suggested by the Examiner.

The Examiner is asked to reconsider and to withdraw the rejection of claims 1-7 under 35 U.S.C. section 102(b) as being anticipated by McCoskey et al. (U.S. 5,041,251, Aug. 20, 1991).

Contrary to the Examiner's allegation McCoskey et al. do not disclose what is required in the present claims. McCoskey et al. disclose something that is very different from what is claimed in the present claims. McCoskey et al. disclose an underwater pelletizing process of producing particles. This process of McCoskey et al. entails extrusion cutting the polyolefin into particles while in contact with water that contains a non-sticky material. Once the particles are cut in McCoskey et al. the particles are removed from the water and dusted again with a non-sticky material. This process of McCoskey et al. makes a desirable product as pellets but has proved to be an expensive process and the present invention is an improvement thereover that is cheaper and easier when making slats. Although McCoskey et al. may disclose some similar steps, the steps are not the same or in the same order as required in the present claims and these differences cannot simply be ignored, particularly when they make a significant difference in the "manipulative sense".

The process of the present invention requires the coextrusion of an amorphous propylene copolymer in a sheath of a non-tacky polyolefin. This is like in sausage making with the meat in a sheath, except that in the present claims both the contents and the sheath are formed from the molten state, one inside the other as both materials exit the die. This is more clearly explained in the present specification on pages 9-12. The extruded core and sheath are extruded in strands (not cut) that are then cooled and then cut. The cut slats never need to be separated from the cooling fluid. The exposed cut ends (not coated with the non-tacky sheath) are then dusted with a non-tacky powder. This is very different from what is disclosed in McCoskey et al. and cannot simply be ignored. Therefore, this rejection must be withdrawn.


The differences between what is disclosed in McCoskey et al. and the present claims can no more be swept aside by some recitation as not being different than any improvement invention.

In light of the above, reconsideration and allowance of all claims are respectfully requested.

Should there be any remaining issues unresolved, the examiner is encouraged to contact the undersigned at the number below.

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